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5 Attorney for Plaintiff
PATRICIA CLAIRE BANKSTON

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

10 PATRICIA CLAIRE BANKSTON,
11 Plaintiff,
12 v.
13 PATENAUDE & FELIX, A
14 PROFESSIONAL CORPORATION, a
15 California corporation, and RAYMOND
16 ALCIDE PATENAUDE, individually and in
his official capacity,
Defendants.

Case No. C07-03396-JW-PVT

**DECLARATION OF PATRICIA
CLAIRE BANKSTON IN SUPPORT
OF MOTION FOR SUMMARY
JUDGMENT**

[Fed. R. Civ. P. 56]

Date: January 14, 2007
Time: 9:00 a.m.
Judge: Honorable James Ware
Courtroom: Courtroom 8, 4th Floor
Place: 280 South First Street
San Jose, California

19 I, Patricia Claire Bankston, declare under penalty of perjury, under the laws of the United
20 States, 28 U.S.C. § 1746, that the following statements are true:

21 1. I am the Plaintiff in the above captioned case.
22 2. I have personal knowledge of the following facts, and if called as a witness,
23 I could and would competently testify thereto.
24 3. I am a natural person residing in Santa Clara County, California. I have never
25 owned a business.
26 4. On a date unknown to me, I opened a consumer credit card account issued by
27 Capital One Bank. I used the Capital One Bank credit card account to purchase goods and services
28 for personal, family or household use.

1 5. Sometime thereafter, Defendants PATENAUDE & FELIX, A.P.C., and
2 RAYMOND ALCIDE PATENAUDE sent a collection letter dated June 4, 2007, to me in an attempt
3 to collect the debt owed to Capital One Bank.

4 6. The June 4, 2007, collection letter was the first written notice that I received
5 from PATENAUDE & FELIX, A PROFESSIONAL CORPORATION, and RAYMOND ALCIDE
6 PATENAUDE in connection with collecting the debt owed to Capital One Bank.

7 7. A true and accurate copy of the June 4, 2007, collection letter is attached
8 hereto, marked Exhibit "1," and by this reference is incorporated herein.

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10 Executed at San Jose, California on December 7, 2007.

11 Patricia Claire Bankston
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